

**United States Bankruptcy Court  
Central District of California  
Los Angeles  
Neil Bason, Presiding  
Courtroom 1545 Calendar**

**Thursday, June 9, 2022**

**Hearing Room 1545**

8:00 AM

**2:00-00000**

**Chapter**

**#1.00** Hearings in Judge Bason's courtroom (1545) are now simultaneously (1) in person in the courtroom, unless the Court has been closed (check the Court's website for public notices), (2) via ZoomGov video, and (3) via ZoomGov telephone.  
You are free to choose any of these options, except that evidentiary hearings/trials must be in person in the courtroom (unless otherwise ordered). You do not need to call Chambers for advance approval or notice. ZoomGov appearances are free.

**ZoomGov Instructions for all matters on today's calendar:**

Meeting ID: 160 280 0621

Password: 023776

Meeting URL: <https://cacb.zoomgov.com/j/1602800621>

Telephone: +1 669-254-5252 or +1 646-828-7666 or 833-568-8864 (Toll Free)

Please connect at least 5 minutes before the start of your hearing, and wait with your microphone muted until your matter is called.

**Chapter 13: Persons needing to contact the Chapter 13 Trustee's attorney, either prior to the hearing or during a recess, can call Kaleen Murphy, Esq. at (213) 996-4433.**

Docket 0

**Tentative Ruling:**

- NONE LISTED -

**United States Bankruptcy Court  
Central District of California  
Los Angeles  
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**Thursday, June 9, 2022**

**Hearing Room 1545**

8:30 AM

**2:21-10345 Adrienne Michelle Williams**

**Chapter 13**

**#1.00** Hrg re: Motion under Local Bankruptcy Rule 3015-1  
(n) and (w) to modify plan or suspend plan payments

Docket 65

**Tentative Ruling:**

Continue to 6/30/22 at 8:30 a.m. to allow Debtor to file a withdrawal this motion (dkt. 65), in view of the amended motion (dkt. 77) subsequently filed by Debtor and granted by this Court (dkt. 81). Appearances are not required on 6/9/22. (If you wish to contest the tentative ruling, see the Posted Procedures of Judge Bason, available at [www.cacb.uscourts.gov](http://www.cacb.uscourts.gov), then search for "tentative rulings.")

If you are making an appearance, you may do so (1) in person in the courtroom, unless the Court has been closed (check the Court's website for public notices), (2) via ZoomGov video, or (3) via ZoomGov telephone. For ZoomGov instructions for all matters on calendar, please see page 1 of the posted tentative rulings.

<b>Party Information</b>
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**Debtor(s):**

Adrienne Michelle Williams

Represented By  
Ali R Nader

**Trustee(s):**

Kathy A Dockery (TR)

Pro Se

**United States Bankruptcy Court  
Central District of California  
Los Angeles  
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**Hearing Room 1545**

8:30 AM

**2:18-24411 Glenna May Walker**

**Chapter 13**

**#2.00** Hrg re: Motion under Local Bankruptcy Rule 3015-1  
(n) and (w) to modify plan or suspend plan payments

Docket 68

**\*\*\* VACATED \*\*\* REASON: Approved per Trustee's amended comments  
(dkt. 81) and order thereon.**

**Tentative Ruling:**

- NONE LISTED -

<b>Party Information</b>
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**Debtor(s):**

Glenna May Walker

Represented By  
Gary S Saunders

**Trustee(s):**

Kathy A Dockery (TR)

Represented By  
Gary S Saunders

**United States Bankruptcy Court  
Central District of California  
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**Thursday, June 9, 2022**

**Hearing Room 1545**

8:30 AM

**2:18-15465 Carlos Arturo Martinez and Martha Bulla Martinez**

**Chapter 13**

**#3.00** Hrg re: Motion for Suggestion of Death; for substitution as the representative for or successor to the deceased debtor; and for continued administration of the case

Docket 25

**Tentative Ruling:**

Grant.

Proposed order(s): Unless otherwise ordered, Movant is directed to lodge proposed order(s) on the foregoing matter(s) via LOU within 7 days after the hearing date (per LBR 9021-1(b)(1)(B)).

Appearances are not required. (If you wish to contest the tentative ruling, see the Posted Procedures of Judge Bason, available at [www.cacb.uscourts.gov](http://www.cacb.uscourts.gov), then search for "tentative rulings.")

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<b>Party Information</b>
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**Debtor(s):**

Carlos Arturo Martinez

Represented By  
Ramiro Flores Munoz

**Joint Debtor(s):**

Martha Bulla Martinez

Represented By  
Ramiro Flores Munoz

**Trustee(s):**

Kathy A Dockery (TR)

Pro Se

**United States Bankruptcy Court  
Central District of California  
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**Thursday, June 9, 2022**

**Hearing Room 1545**

8:30 AM

**2:16-10308 Ramona Ann Brown**

**Chapter 13**

**#4.00** Hrg re: Motion for Turnover of Property Motion for Bank of America, N.A., its Successors and/or Assigns to Turn Over Funds in the Amount of \$11,262.48 to the Debtor as it is Property of the Bankruptcy Estate

Docket 150

**Tentative Ruling:**

Grant, and direct Bank of America, N.A. and/or its successors/assigns (collectively, the "Bank") to return \$11,262.48 in funds to Debtor.

Proposed order(s): Unless otherwise ordered, Movant is directed to lodge proposed order(s) on the foregoing matter(s) via LOU within 7 days after the hearing date (per LBR 9021-1(b)(1)(B)) and attach a copy of this tentative ruling, thereby incorporating it as this Court's final ruling.

Appearances are not required. (If you wish to contest the tentative ruling, see the Posted Procedures of Judge Bason, available at [www.cacb.uscourts.gov](http://www.cacb.uscourts.gov), then search for "tentative rulings.")

Analysis:

(1) Lack of adversary proceeding

Although the motion seeks turnover/recovery of funds erroneously paid to the Bank, and a "proceeding to recover money or property" generally requires an adversary proceeding (per Rule 7001(1), Fed. R. Bankr. P.), the tentative ruling is that the requirement of an adversary proceeding is not jurisdictional, can be waived/forfeited, and has in fact been waived and forfeited by the Bank's lack of response to the motion.

(2) Lack of admissible evidence

The declaration in support of the motion is from Debtor's attorney, and the tentative ruling is that he does not establish a sufficient foundation for personal knowledge, nor does the motion establish alternative grounds why his allegations would be admissible in evidence. Nevertheless, the tentative ruling is that any foundation, hearsay, or other evidentiary objections have been waived and forfeited by the Bank's lack of response to the motion.

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**CONT... Ramona Ann Brown**

**Chapter 13**

If you are making an appearance, you may do so (1) in person in the courtroom, unless the Court has been closed (check the Court's website for public notices), (2) via ZoomGov video, or (3) via ZoomGov telephone. For ZoomGov instructions for all matters on calendar, please see page 1 of the posted Tentative Rulings.

<b>Party Information</b>
--------------------------

**Debtor(s):**

Ramona Ann Brown

Represented By  
Kevin T Simon

**Trustee(s):**

Kathy A Dockery (TR)

Pro Se

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Central District of California  
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**2:19-25099 Ramon DeShon Kendricks and Adrianna Kendricks**

**Chapter 13**

**#5.00** Hrg re: Motion under Local Bankruptcy Rule 3015-1  
(n) and (w) to modify plan or suspend plan payments

Docket 54

**\*\*\* VACATED \*\*\* REASON: Granted per Trustee's amended comments  
(dkt. 65), and order thereon.**

**Tentative Ruling:**

- NONE LISTED -

<b>Party Information</b>
--------------------------

**Debtor(s):**

Ramon DeShon Kendricks

Represented By  
Thomas B Ure

**Joint Debtor(s):**

Adrianna Kendricks

Represented By  
Thomas B Ure

**Trustee(s):**

Kathy A Dockery (TR)

Pro Se

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Central District of California  
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**Thursday, June 9, 2022**

**Hearing Room 1545**

8:30 AM

**2:19-25099 Ramon DeShon Kendricks and Adrianna Kendricks**

**Chapter 13**

**#6.00** Cont'd hrg re: Motion for Authority to Sell or  
Refinance Real Property under LBR 3015-1 (Ch 13)  
fr. 5/5/22

Docket 49

**\*\*\* VACATED \*\*\* REASON: Granted per Trustee's amended comments  
(dkt. 55), and order thereon (dkt. 57).**

**Tentative Ruling:**

<b>Party Information</b>
--------------------------

**Debtor(s):**

Ramon DeShon Kendricks

Represented By  
Thomas B Ure

**Joint Debtor(s):**

Adrianna Kendricks

Represented By  
Thomas B Ure

**Trustee(s):**

Kathy A Dockery (TR)

Pro Se



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**2:22-11989 Khalig Hedjazi**

**Chapter 13**

**#7.00** Hrg re: Motion disallowing claim 6  
as filed by LendingClub Bank, NA

Docket 42

**Tentative Ruling:**

Continue to 6/30/22 at 8:30 a.m. to address the following issues.  
Appearances are not required on 6/9/22. (If you wish to contest the tentative ruling, see the Posted Procedures of Judge Bason, available at [www.cacb.uscourts.gov](http://www.cacb.uscourts.gov), then search for "tentative rulings.")

If you are making an appearance, you may do so (1) in person in the courtroom, unless the Court has been closed (check the Court's website for public notices), (2) via ZoomGov video, or (3) via ZoomGov telephone. For ZoomGov instructions for all matters on calendar, please see page 1 of the posted tentative rulings.

Reason(s) for continuance:

(1) The proof of claim complies with Rule 3001; and even if it did not, that is insufficient to disallow the claim

The objection states that claim no. 6 fails to comply with Rule 3001 (Fed. R. Bankr. P.) "because it fails to provide for a copy of the writing [on which it is based, *i.e.*, the revolving credit agreement] ...." That is incorrect. Rule 3001(c)(1) provides that a copy of the writing on which the claim is based must be filed with the proof of claim "except for a claim governed by paragraph (3) of this subdivision," which applies to "an open end or revolving consumer credit agreement" such as the claim at issue. (Emphasis added.)

Alternatively, even if the claim did not comply with the Rules, that only deprives it of presumptive validity (Rule 3001(f)), but the statute provides that all claims shall be allowed unless an exception applies. 11 U.S.C. 502. Therefore, there must be some basis to disallow the claim, beyond mere non-compliance with the rules governing how a claim is properly filed. See, *e.g.*, *In re Campbell*, 336 B.R. 430 (9th Cir. BAP 2005); *In re Heath*, 331 B.R. 424 (9th Cir. BAP 2005).

True, Debtor asserts that this claim is barred by the statute of

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CONT... Khalig Hedjazi

Chapter 13

limitations. But, as to that issue, this Court has the concerns described below.

(2) Lack of cost/benefit analysis

Lack of cost/benefit analysis. The posted Procedures of Judge Bason (available at [www.cacb.uscourts.gov](http://www.cacb.uscourts.gov)) provide:

**§ 502: claim objections & cost/benefit analysis.** When objecting to claims, be sure to include an analysis of why the costs of preparing and litigating the claim objection (administrative expenses) do not exceed the anticipated benefits (reductions in claims). For example, if the claim at issue is a dischargeable nonpriority claim, and the anticipated dividend is small or 0%, then (a) the attorney fees incurred in prosecuting an objection probably will exceed the benefit to the bankruptcy estate/creditors, (b) Debtor typically is harmed by replacing a (dischargeable) general unsecured claim with an administrative expense, and (c) only the lawyer benefits (at the expense of both creditors and Debtor).

See also *In re Barba* (Case No. 2:21-bk-18466-NB), dkt. 50.

No later than 7 days after the date of this hearing the movant must file either:

(1) a supplemental declaration explaining why the attorney fees for this objection are justified (including supporting evidence, such as a copy of the plan showing the projected dividend to the claimant, and a calculation comparing that projected dividend against the attorney fees related to this claim objection), or

(2) a withdrawal of the claim objection.

No fees on this matter, absent specific authorization. Counsel is directed not to charge any fees on this matter (including all past, present and future work related to this claim objection), and to return any fees received on this matter, unless and until this Court expressly finds: "Counsel has provided a cost/benefit analysis that is sufficient for purposes of the Posted Procedures of Judge Bason regarding claim objections." It is counsel's responsibility to include the quoted phrase, if warranted, in the proposed order on this claim objection.

This Court does not have the capacity to monitor all fee applications to assure compliance with the foregoing limitation on fees. But if counsel is

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**CONT... Khalig Hedjazi**

**Chapter 13**

found to have disregarded this limitation then this Court may impose sanctions.

(3) Conclusion/tentative ruling

If the foregoing issues are addressed in a satisfactory manner, this Court anticipates posting a tentative ruling prior to the continued hearing that sustains the claim objection.

<b>Party Information</b>
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**Debtor(s):**

Khalig Hedjazi

Represented By  
Andy C Warshaw

**Trustee(s):**

Kathy A Dockery (TR)

Pro Se

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Central District of California  
Los Angeles  
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**Hearing Room 1545**

8:30 AM

**2:22-11989 Khalig Hedjazi**

**Chapter 13**

**#8.00** Hrg re: Motion disallowing claim 7 as  
filed by LendingClub Bank NA

Docket 52

**Tentative Ruling:**

Continue to 6/30/22 at 8:30 a.m. to address the following issues.  
Appearances are not required on 6/9/22. (If you wish to contest the tentative ruling, see the Posted Procedures of Judge Bason, available at [www.cacb.uscourts.gov](http://www.cacb.uscourts.gov), then search for "tentative rulings.")

If you are making an appearance, you may do so (1) in person in the courtroom, unless the Court has been closed (check the Court's website for public notices), (2) via ZoomGov video, or (3) via ZoomGov telephone. For ZoomGov instructions for all matters on calendar, please see page 1 of the posted tentative rulings.

Reason(s) for continuance:

(1) Missing copy of proof of claim

Local Bankruptcy Rule ("LBR") 3007-1(c)(2) requires that a complete copy of the proof of claim be attached to the claim objection. There is no such copy attached to this objection (dkt. 52) to claim no. 7.

(2) The proof of claim complies with Rule 3001; and even if it did not, that is insufficient to disallow the claim

The objection states that claim no. 7 fails to comply with Rule 3001 (Fed. R. Bankr. P.) "because it fails to provide for a copy of the writing [on which it is based, *i.e.*, the revolving credit agreement] ...." That is incorrect. Rule 3001(c)(1) provides that a copy of the writing on which the claim is based must be filed with the proof of claim "[e]xcept for a claim governed by paragraph (3) of this subdivision," which applies to "an open end or revolving consumer credit agreement" such as the claim at issue. (Emphasis added.)

Alternatively, even if the claim did not comply with the Rules, that only deprives it of presumptive validity (Rule 3001(f)), but the statute provides that all claims shall be allowed unless an exception applies. 11 U.S.C. 502.

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CONT...

**Khalig Hedjazi**

**Chapter 13**

Therefore, there must be some basis to disallow the claim, beyond mere non-compliance with the rules governing how a claim is properly filed. See, e.g., *In re Campbell*, 336 B.R. 430 (9th Cir. BAP 2005); *In re Heath*, 331 B.R. 424 (9th Cir. BAP 2005).

True, Debtor asserts that this claim is barred by the statute of limitations. But, as to that issue, this Court has the concerns described below.

(3) Lack of cost/benefit analysis

Lack of cost/benefit analysis. The posted Procedures of Judge Bason (available at [www.cacb.uscourts.gov](http://www.cacb.uscourts.gov)) provide:

**§ 502: claim objections & cost/benefit analysis.** When objecting to claims, be sure to include an analysis of why the costs of preparing and litigating the claim objection (administrative expenses) do not exceed the anticipated benefits (reductions in claims). For example, if the claim at issue is a dischargeable nonpriority claim, and the anticipated dividend is small or 0%, then (a) the attorney fees incurred in prosecuting an objection probably will exceed the benefit to the bankruptcy estate/creditors, (b) Debtor typically is harmed by replacing a (dischargeable) general unsecured claim with an administrative expense, and (c) only the lawyer benefits (at the expense of both creditors and Debtor).

See also *In re Barba* (Case No. 2:21-bk-18466-NB), dkt. 50.

No later than 7 days after the date of this hearing the movant must file either:

(1) a supplemental declaration explaining why the attorney fees for this objection are justified (including supporting evidence, such as a copy of the plan showing the projected dividend to the claimant, and a calculation comparing that projected dividend against the attorney fees related to this claim objection), or

(2) a withdrawal of the claim objection.

No fees on this matter, absent specific authorization. Counsel is directed not to charge any fees on this matter (including all past, present and future work related to this claim objection), and to return any fees received on this matter, unless and until this Court expressly finds: "Counsel has provided a cost/benefit analysis that is sufficient for purposes of the Posted Procedures

**United States Bankruptcy Court  
Central District of California  
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**CONT... Khalig Hedjazi**

**Chapter 13**

of Judge Bason regarding claim objections." It is counsel's responsibility to include the quoted phrase, if warranted, in the proposed order on this claim objection.

This Court does not have the capacity to monitor all fee applications to assure compliance with the foregoing limitation on fees. But if counsel is found to have disregarded this limitation then this Court may impose sanctions.

**(4) Conclusion/tentative ruling**

If the foregoing issues are addressed in a satisfactory manner, this Court anticipates posting a tentative ruling prior to the continued hearing that sustains the claim objection, except as to any request for attorney fees. On that latter issue, the tentative ruling is that such an award is inappropriate absent a copy of the contractual attorney fee clause, or possibly based on an evidentiary presumption against the claimant if it were to fail to respond to a proper discovery request for a copy of the contract.

<b>Party Information</b>
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**Debtor(s):**

Khalig Hedjazi

Represented By  
Andy C Warshaw

**Trustee(s):**

Kathy A Dockery (TR)

Pro Se

**United States Bankruptcy Court  
Central District of California  
Los Angeles  
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**Thursday, June 9, 2022**

**Hearing Room 1545**

8:30 AM

**2:22-10620 Javier David Reyes**

**Chapter 13**

**#9.00** Hrg re: Objection to claim of number 9  
by Claimant Kalamata Capital Group LLC

Docket 34

**Tentative Ruling:**

Appearances required.

The tentative ruling is to sustain Debtor's claim objection in part and recharacterize Claim 9 as an unsecured claim in the amount of \$34,902.26, subject to Debtor's Counsel providing a satisfactory cost/benefit analysis at the hearing.

Proposed order(s): Unless otherwise ordered, Debtor is directed to lodge proposed order(s) on the foregoing matter(s) via LOU within 7 days after the hearing date (per LBR 9021-1(b)(1)(B)) and attach a copy of this tentative ruling, thereby incorporating it as this Court's final ruling.

If you are making an appearance, you may do so (1) in person in the courtroom, unless the Court has been closed (check the Court's website for public notices), (2) via ZoomGov video, or (3) via ZoomGov telephone. For ZoomGov instructions for all matters on calendar, please see page 1 of the posted Tentative Rulings.

Key documents reviewed (in addition to motion papers): No opposition on file  
Analysis:

(1) Lack of cost/benefit analysis. The posted Procedures of Judge Bason (available at [www.cacb.uscourts.gov](http://www.cacb.uscourts.gov)) provide:

**§ 502: claim objections & cost/benefit analysis.** When objecting to claims, be sure to include an analysis of why the costs of preparing and litigating the claim objection (administrative expenses) do not exceed the anticipated benefits (reductions in claims). For example, if the claim at issue is a dischargeable nonpriority claim, and the anticipated dividend is small or 0%, then

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**CONT...**

**Javier David Reyes**

**Chapter 13**

(a) the attorney fees incurred in prosecuting an objection probably will exceed the benefit to the bankruptcy estate/creditors, (b) Debtor typically is harmed by replacing a (dischargeable) general unsecured claim with an administrative expense, and (c) only the lawyer benefits (at the expense of both creditors and Debtor).

Debtor's counsel should be prepared to explain why the attorney fees for this objection are justified and why he did not comply with the Procedures.

(2) Merits

The tentative ruling is to sustain Debtor's objection on the grounds that, on this record, the Claim appears to be improperly characterized as a secured claim for the reasons stated in Debtor's papers and because Claimant has not filed any opposition papers refuting Debtor's argument.

The tentative ruling is to overrule Debtor's argument that the claim was improperly filed in violation of California Financial Code section 100001 & 100002 and/or California state bar licensing requirements because even if Debtor were correct (an issue on which this Court makes no ruling), the federal bankruptcy procedures to file a proof of claim, by operation of the Supremacy Clause, trump any licensure requirements under State law. See U.S. Const., art. VI, Cl. 2; 11 U.S.C. 501(a); Rule 3001 (Fed. R. Bankr. P.).

<b>Party Information</b>
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**Debtor(s):**

Javier David Reyes

Represented By

Nathan A Berneman

**Trustee(s):**

Kathy A Dockery (TR)

Pro Se



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**2:19-15974 Christopher Raymond Demery**

**Chapter 13**

**#10.00** Cont'd hrg re: Motion under Local Bankruptcy Rule 3015-1 (n)  
and (w) to modify plan or suspend plan payments  
fr. 4/7/21, 5/5/22

Docket 80

**\*\*\* VACATED \*\*\* REASON: Per Trustee's comments (dkt. 110) and  
forthcoming order on motion.**

**Tentative Ruling:**

<b>Party Information</b>
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**Debtor(s):**

Christopher Raymond Demery

Represented By  
Raj T Wadhvani

**Trustee(s):**

Kathy A Dockery (TR)

Pro Se

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**Thursday, June 9, 2022**

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9:30 AM

**2:00-00000**

**Chapter**

**#1.00 PLEASE BE ADVISED THAT THE CHAPTER 13 9:30 AM  
CONFIRMATION CALENDAR CAN BE VIEWED ON THE  
COURT'S WEBSITE ([www.cacb.uscourts.gov](http://www.cacb.uscourts.gov)) UNDER:  
JUDGES>BASON, N.>CHAPTER 13>CONFIRMATION HEARINGS CALENDAR**

Docket 0

**Tentative Ruling:**

- NONE LISTED -

**United States Bankruptcy Court  
Central District of California  
Los Angeles  
Neil Bason, Presiding  
Courtroom 1545 Calendar**

**Thursday, June 9, 2022**

**Hearing Room 1545**

11:00 AM

**2:00-00000**

**Chapter**

**#1.00 PLEASE BE ADVISED THAT THE CHAPTER 13 HEARINGS  
at 11:00 AM CAN BE VIEWED ON THE COURT'S WEBSITE  
([www.cacb.uscourts.gov](http://www.cacb.uscourts.gov)) UNDER: JUDGES>BASON, N.>CHAPTER 13**

Docket 0

**Tentative Ruling:**

- NONE LISTED -